Community Dispute Resolution Program

Annual Report 2001

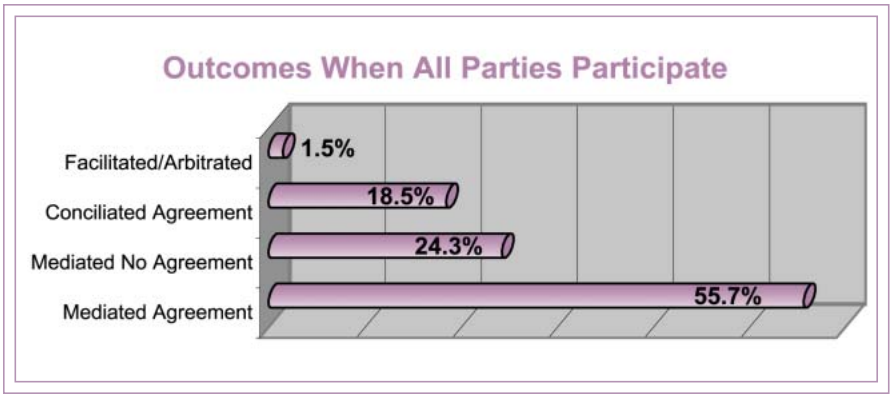
2001 At A Glance

Number of centers	24
Range of grant awards	$34,057-$226,197
Individuals involved in cases	22,776
Businesses involved in cases	5,892
Number of resolutions	4,625
Average days to disposition	21
Average length of mediation (hours)	1.75
Resolution rate	75%
Agreement compliance rate	95%
Value of volunteer contribution	$759,130

Community Dispute Resolution Program (CDRP) centers offer mediation as an alternative to traditional adversarial dispute resolution in the courts. In 2001, approximately 10,000 Michigan citizens resolved disputes through the network of 24 CDRP centers located throughout the state.

Mediation is a process in which a trained neutral person helps disputing parties reach a mutually satisfactory resolution. Unlike litigation, where one party wins and one party loses, mediation does not result in a winner and loser; it results in "win/win" solutions. Mediators are volunteers who have completed both a 40 hour training program approved by the State Court Administrative Office (SCAO) and a supervised internship.

CDRP centers are nonprofit volunteer based organizations that receive grant funding from the SCAO derived from a court assessment fee of two dollars per civil case filing and a general fund appropriation. In 2001, the SCAO distributed approximately $1.7 million to the centers in support of their work; grant awards per center ranged from $34,057 to $226,197.



Centers resolved 4,625 cases in 2001, a 6% increase over 2000. Centers also provided meeting facilitation services in an additional 83 matters. A resolution rate of 75% was achieved when all parties agreed to use a center's services. This was accomplished either through the formal mediation process, or informally through correspondence or telephone conversation. Selection of the formal mediation process increased by 22% over the previous year. Although many issues in controversy are non-economic in nature, the combined financial settlements of cases presenting economic issues increased by over 17% from 2000 to almost $3.9 million.

Mediation also results in the quick resolution of matters. On the average, a case was disposed within 21 days of intake. The average mediation session lasted about one and three quarter hours.

Of the 9,975 cases disposed in 2001, 55% were matters in which the disputants learned about the service from a court. Referrals from governmental units—cases in which parties elected to call a center after being told of the services by state agencies, county offices or county employees, city, township or other municipalities' offices—accounted for the second highest referral source at 8.3% of the cases disposed.

Most centers offer an array of specialized services, such as mediation in juvenile victim/offender cases, Equal Employment Opportunity Commission-referred discrimination cases, and U.S. Postal Service workplace disputes. In addition, 10 centers offered mediation of child protection and permanency planning matters. The Permanency Planning Mediation Program (PPMP) was designed to test whether mediation could reduce the number of contested hearings, increase compliance with parent service plans, and expedite the permanent placement of children. In 2001, 111 child protection cases were mediated or conciliated (informally resolved). An evaluation of this program is scheduled to begin in 2002.

Following a competitive bid process, the Michigan Department of Education awarded continued financial support for the Michigan Special Education Mediation Program. This program provides educational seminars for parents of special education students and school district staff as well as direct special education mediation and facilitation services. In the 2000-2001 program year, a total of 32 mediations, 4 conciliations and 3 facilitated Individualized Educational Program meetings were conducted.

CDRP also remained certified by the U.S. Department of Agriculture to provide mediation in disputes between farmers and USDA agencies, such as the Farm Service Agency, Natural Resources Conservation Service and Rural Development. Disputes reaching mediation typically include lender/creditor issues, crop insurance matters, or program compliance issues. Through the Michigan Agricultural Mediation Program, 21 mediations were conducted in the 2000-2001 program year.

Other services increasingly requested and available through centers include: mediation of post-judgment domestic relations issues; resolution of non-violent neighborhood-type disputes (where persons have sought personal protection orders from circuit courts); meeting facilitation; mediation training; establishing school violence prevention and student peer mediation programs; and participation on local collaborative bodies. Centers also provide a wide variety of conflict management workshops tailored to meet the needs of their constituents and serve as a referral source to other service providers.

Volunteerism remains a defining aspect of the CDRP. Volunteers serve as mediators, trainers, outreach workers, administrators, workshop facilitators, and office assistants at many centers. Approximately 17,148 hours of service were contributed by volunteers in 2001. In market value equivalents, this represents a $759,130 contribution. Centers also receive a number of donated goods and services such as rent, photocopying services, accounting services and purchase discounts. The market value of these goods and services totaled $66,510.

Dispute Type

Consumer/Merchant	26.9%
Breach of Contract	14.7%
Landlord/Tenant	13.9%
Property	10.8%
Professional/Client	8.4%
Other: Domestic Relations, Employment, Neighborhood	25.3%

Referral Sources

Court	55.0%
Governmental Unit	8.3%
Advertisement	8.2%
Self-referrals	7.6%
Legal Organization, Prosecutor, Attorney, Police	4.3%
Other: Friend, Business, School, Social Service Org	16.6%

Key Program Gains

Significantly, the Michigan Legislature's continued appropriation of program funding is now permitting centers to place additional emphasis on outreach, and this has directly contributed to centers increasing the number of disputes resolved. The funding has also helped centers reduce a previously high level of staff turnover and to keep offices open and staffed 40 hours per week.

In 2000, the Michigan Supreme Court adopted new court rules which gave judges the authority to order litigants in civil cases to try mediation. In 2001, many courts began creating local alternative dispute resolution plans to take advantage of the new rules, and in most cases, courts and CDRP centers are partnering to ensure that low and no income litigants are afforded quality mediation services. At least five centers have also developed specialized training programs approved to prepare mediators to serve on court rosters. To learn more about the new mediation initiative in courts, refer to the booklet, "How to Resolve Your Dispute…Without Going to Trial," available on the Michigan Supreme Court website or by contacting SCAO.

A growing number of centers are working on youth-related conflict resolution issues, for example, to develop student peer mediation programs. This involves a center working closely with teachers, students, administrators, and parents to design a mediation program in which students serve as mediators in disputes arising in the school environment. Other centers are providing victim/offender mediation, in which youthful offenders meet with the victim to talk about not only how the victim was affected by the criminal act, but how the offender might make either economic or non-economic restitution to the victim and community. This type of mediation is most common in cases involving minor assaults and property destruction.

Centers are also working more closely with the family division of the local circuit courts to assess how mediation might complement the traditional adversarial court process. The collaborative mediation process used in domestic relations cases, for example, generally results in fewer post-judgment motions being filed, and creates a helpful mechanism for resolving disputes which arise over child custody and parenting time. Mediation in contested guardianship matters is also available through a growing number of centers.

The SCAO continues to document impressive center achievements and recognizes their potential for resolving increasingly complex disputes which may be resolved without adjudication by trial.

CDRP center directors have joined together to form the Dispute Resolution Association of Michigan (DRAM) with assistance from the William and Flora Hewlett Foundation. The association will launch a pilot program in public policy mediation and develop professional services for those interested in the alternative dispute resolution field. For additional information, contact David Gruber, Executive Director, at (517) 485-2274.

To contact the Community Dispute Resolution Program center nearest you
call 1-800-8RESOLVE (1-800-873-7658)

For additional information about the statewide Community Dispute Resolution Program or this report please contact:

Office of Dispute Resolution
State Court Administrative Office
P.O. Box 30048
Lansing, MI 48909

Telephone: 517/373-4839
Fax: 517/373-8922
Email: vaneppsd@jud.state.mi.us

Program information is also available at: http://courts.michigan.gov/scao/dispute/odr.htm

Program Staff:
Angela Stroub, Administrative Assistant
Laura Bassein, Program Representative
Michelle Hilliker, Financial Analyst
Douglas A. Van Epps, Director